IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**FIRST APPEAL NO. 1991 OF 2007**
**AND**
**CIVIL APPLICATION NO. 647 OF 2007**

The State of Maharashtra ... Appellant

versus

Mrs. Sunitadevi B. Agarwal and others ....Respondents

**WITH**
**FIRST APPEAL NO. 1992 OF 2007**
**AND**
**CIVIL APPLICATION NO. 651 OF 2007**

**WITH**
**FIRST APPEAL NO. 1993 OF 2007**
**AND**
**CIVIL APPLICATION NO. 648 OF 2007**
**WITH**
**FIRST APPEAL ST. NO. 11210 OF 2005**
**AND**
**CIVIL APPLICATION NOS. 627 OF 2006 AND 649 OF 2007**
**WITH**
**FIRST APPEAL ST. NO. 11212 OF 2005**
**AND**
**CIVIL APPLICATION NOS. 628 OF 2006 AND 650 OF 2007**
**WITH**
**CIVIL APPLICATION NO. 3681/2007 IN R.C. NO. 1535 OF 2005**

Mr. K.K. Tated, Assistant Government Pleader, for the appellants in FA Nos. 1991, 1992 and 1993 of 2007.

Mrs. Poornima Kantharia, Assistant Government Pleader, for the appellants in FA St. Nos. 11210 and 11212 of 2005 and CA 3681/07.

Mr. Amit Gor, instructed by Mr. Piyush Shah, for the respondents.

**CORAM**: **SWATANTER KUMAR, C.J.** &
**DR. D.Y. CHANDRACHUD, J.**

**DATE:** **OCTOBER 04, 2007**.

**P.C.**

It has been brought to our notice by the learned Assistant Government Pleader that the appeals filed by the acquiring body relating to the acquisition of the same lands were disposed of by a Division Bench of this Court vide its judgment dated 12th June, 2007 in First Appeal (Stamp) No. 29357 of 2005 and other cognate appeals.

2. In view of the judgment of the Division Bench, this Court has no option but to set aside the judgment under Appeal in all these appeals and remand the matter to the Reference Court. Consequently, the judgments and orders under these appeals are set aside and the matters are remanded to the Reference Court. The directions contained in First Appeal (St.) No. 29357 of 2005 and others shall apply to these appeals as well. All the Appeals and Civil Applications are also disposed of. No order as to costs.

**CHIEF JUSTICE**

**DR. D.Y. CHANDRACHUD, J.**